



MEETING SUMMARY
Utah Fish Health Policy Board (FHPB)
October 9, 2014

The Utah Fish Health Policy Board (FHPB) met at 10:00 a.m. at the Utah Department of Agriculture and Food building in Salt Lake City, Utah on October 9, 2014.

The following Board members were present: Michael Canning (DWR – Assistant Director), Dr. Chris Wilson (DWR – Fish Pathologist), Dr. R. Paul Evans (BYU - Microbiology & Molecular Biology), Paul Dremann (Sport Fish Representative).

Other attendees: Cody James (UDAF - Animal Industry Director / Chief, Livestock Inspection Bureau), Warren J. Hess, DVM (UDAF - Acting State Veterinarian), Robert Judd, Anna Marie Forest (UDAF - Fish Health Specialist), Martin Bushman (Utah Attorney General's Office), Bill Durler (UDAF), Randy Oplinger (UDWR), Wade Cavender (UDWR).

Call to order, welcome and introductions – Dr. Hess.

Dr. Hess stated that he had no authority to run the meeting. Currently, Dr. Hess is the Acting State Veterinarian. The State Veterinarian position itself is an appointed one and it appears that this position will not be filled for a few months. Because of this, Dr. Hess is unable to run the meeting because he is Acting State Veterinarian and has not been appointed. He cannot automatically fill that spot.

It was determined that the replacement has to be appointed by the governor since the Fish Health Policy Board is a governor-appointed board.

Animal Industry Director Cody James said that UDAF Fish Health Specialist Anna Marie Forrest would be appointed today to the FHPB either late this morning or by early afternoon. Anna will be taking the place of Dr. Bruce King's vacated spot and will fulfill his term that ends on June 30, 2015.

In addition, Cody said that Robert Judd's position needed to be filled so that the FHPB would be at its full contingent.

Dr. Hess asked if there were an official board member who would like to run the meeting in an official capacity. Mr. Canning said that he would be happy to do so. Dr. Hess asked Mike Canning to move ahead.

Introductions

Approval of the minutes / summary from April 24, 2014

Mike Canning motioned that the minutes from the previous meeting on April 24, 2014 – with corrections - be approved. The vote was unanimous in favor of approving the minutes.

Anna Marie Forest introduction - new UDAF Fish Health Specialist

Anna Marie Forest introduced herself to the board. Anna worked at the FES (Fish Experiment Station) with DWR for twelve years. She specialized in Whirling Disease (WD) and Asian Tapeworm testing in conjunction with Fish Health inspections. She also worked with virology and BKD testing. Ms. Forest is a certified AFS Aquatic Animal Health Inspector, which she attained in 2007.

FHPB Chair Election / Board Member expirations – Warren J. Hess, DVM

Dr. Hess mentioned that with Dr. King's position being vacated, there is the matter of having the election of a new chair. In addition, Board Member Robert Judd's term expired on June 30, 2014 – so his seat needs to be filled as well. Robert stated that there was not a consensus within the Aquaculture Association as to who is to replace him. Robert said he would be willing to serve another term. Mr. Judd will check with the other Aquaculture Association members and see if they have one person they would like to nominate - and then get back to Dr. Hess.

Regarding nominating a new chair, Dr. Hess made a couple of observations: 1) If there was unanimity of those at today's board meeting, in spite of not having a full board, the board move forward with electing a chair. 2) If there is not full unanimity, then the board considers waiting to elect a new chair. Dr. Wilson asked Mr. Bushman if it was acceptable to nominate a temporary chair with the idea that when the board had a full contingent of members they either confirm that person or choose somebody new. Mr. Bushman stated that this could be allowed.

R Paul Evans motioned that the board elect Michael Canning as Acting Chair for the FHPB. He would be Acting Chair until the first FHPB meeting in 2015 – whereby the Board would appoint a permanent chair in full standing. Chris Wilson seconded the motion. The motion passed unanimously by the Board.

Emergency Needs Basis Variance – Chris Wilson, DWR

Chris Wilson asked, "Why are we bringing this forward?" Increasingly, DWR is being faced with scenarios where managers are trying to deal with threatened or endangered species. Some of these species may not be listed with the federal government yet but may be listed as a species of special concern within the state of Utah. We have the Rule and inspection procedure as well as the variance process. However, from time to time DWR is seeing scenarios which do not fit either the Rule, inspection procedure or variance process. For example:

- Limited number of fish that need to be moved. If we go in and start doing full inspections then we will inspect them to extinction.
- There may not be surrogate species there that we could use as an alternative.
- In some cases there are such small numbers of fish or their genetics are so valuable that even to lose a few for the inspection process is prohibitive.
- You've heard of fires in previous years. Lightning strikes will start a fire. Sometimes the fire itself can kill the fish, sometimes it's the next rain after the fire which washes down the debris and can literally sterilize a stream.

These scenarios are very time-sensitive. DWR does not have time to wait for the next FHBP meeting or go through a lengthy variance process. There is a perception from the DWR biologists and Fish Health Lab that there is a need for something else – something that is a little more flexible for DWR to deal with these different scenarios.

Dr. Wilson asked Martin Bushman to explain how the existing Aquaculture Rule allows for the Emergency Needs Basis Variance. It turns out that there is already an avenue for a third option - Dr. Wilson noted that this was already in code. Mr. Bushman stated that this comes under Utah Code § 4-37-501 of the Aquaculture Act that deals with Fish Health Approvals. The specific section that applies to this issue is the following:

2010 Utah Code

Title 04 - Utah Agricultural Code

Chapter 37 - Aquaculture Act

(2) (a) The Division of Wildlife Resources shall waive the health approval requirement for wild populations of aquatic animals pursuant to guidelines of the Fish Health Policy Board.

(b) The Fish Health Policy Board shall develop guidelines for waiving the health approval requirement for wild populations of aquatic animals which:

(i) are listed by the federal government as threatened or endangered;
(ii) are listed by the Division of Wildlife Resources as species of special concern; or

(iii) exist in such low numbers that lethal sampling for health approval could threaten the population.

(c) When wild populations of aquatic animals are exempted from the health approval requirement, precautions shall be taken to protect other wild populations and any other aquatic animals from undetected pathogens.

Dr. Wilson stated the Emergency Needs Basis Variance:

- Will apply to wild or free-ranging feral fish - not hatchery fish. This would also include federally listed fish or if they fall under the heading of state-sensitive species.
- Will not be a routine variance – it will have to be a hardship such as time-sensitive events: fires, floods, other catastrophic events.
- In addition, this would also apply to situations where there are very limited numbers of fish.
- This variance will not apply to sport fish – so this will not include fish in a hatchery.
- This variance only applies to wild populations of fish such as:
 - Threatened and endangered species.
 - Designated sensitive species.
 - Individual populations of limited numbers of species.
- The Chief of Aquatics as well as someone from FES would have to approve any movement of fish based on this variance in advance. A form that requires signatures is already made up for this purpose.
- A visual inspection of the origin and destination by FES personnel will be done on each transfer of fish.
- This variance will also include a Review Process / Risk Assessment each time it is invoked.
- Within five (5) working days of the transfer the Fish Health Policy Board (FHPB) members would be notified by email. In addition, a more detailed account of the transfer would be presented at the next FHPB meeting.

Upon changes with Waiving Health Approval Requirements for Aquatic Wildlife, the Emergency Needs Basis Variance was approved by the Board.

State of the research on producing wipers: Striped Bass / White Bass – Randy Oplinger, DWR

Randy Oplinger gave an informative presentation on wipers. Some of the highlights:

- Hybridization is common within genus. For example, within the Genus *Morone* we see naturally occurring hybrids between:
 1. White bass x white perch
 2. Yellow bass x white bass
 3. Striped bass x white perch
- A wiper is a cross between striped bass and white bass. There are two ways to produce this cross:
 1. Sunshine cross: male striped bass x female white bass.
 2. Palmetto cross: male white bass x female striped bass.
- Crosses are similar
 1. Palmetto grows to a slightly larger size
 2. Sunshine gives fewer eggs, stickier eggs

Why produce wipers? Producing wipers overcomes some of the problems that we run into with the parent fishes, such as:

White bass:

- Tend to over populate and stunt
- Often difficult to catch due to small size

Striped bass:

- Naturally anadromous
- Can live in freshwater habitats
- Been established in large reservoirs
- Not successful in smaller reservoirs

Wipers are a compromise between parent species.

An interesting fact is that the Egg ovulation window is narrow:

- 1 hour in striped bass
- A few hours in white bass
- Eggs are not viable outside this window

UDWR's Wiper Production Program

- Annual quota:
 - 3.58 million fry
 - 368,000 @ 3 inches
 - 87,000 @ 8 inches
- Traditionally purchased from out of state as fry and reared at Wahweap Hatchery
- Concerned about VHS from out of state
- Wish to begin producing in state
- **Future plans:**
 - Need to improve hatch rates
 - Try transport of fresh striped bass sperm to see if sperm quality is an issue
 - Experiment with the ovulation window a little to see if our assumptions of egg viability are off
 - Eggs need to roll in McDonald jars and we have not collected enough fish for this to occur in the past, want to try adding more eggs into the jars

Aquatic Invasive Species (AIS) Update

The AIS Update was tabled until the next Fish Health Policy Board meeting.

UDAF AIS Inspection Protocol – Anna Forest, UDAF

Anna Forest presented the existing UDAF AIS Inspection protocol that was in her desk when she assumed the UDAF Fish Health Specialist position. She stated that the DWR requires AIS Inspections but within the Fish Health Rule it is outside UDAF's authority to do AIS Inspections for private industry. She mentioned that she has been asked to do AIS Inspections – and she has asked DWR to be trained on their protocol. Anna feels the DWR Inspection protocol is a bit more laid out in terms of checking raceways, etc. Anna said she needs to know if she has the authority to do AIS Inspections – and what to do if she finds an Aquatic Invasive Species. Furthermore, are AIS Inspections under the purview of the Fish Health Policy Board?

Robert Judd stated that AIS has nothing to do with the Fish Health Policy Board. According to him, this is what the Board has been told when they have brought up AIS.

Dr. Hess asked that if UDAF Fish Health is going to provide AIS inspections, which protocol would be used since UDAF's and DWR's differed significantly? Dr. Hess felt that UDAF needed some transparency in terms of how UDAF is going to conduct AIS Inspections – or if UDAF does this at all.

Anna mentioned that the requirements for importing fish are different from inspections performed within the state, such as a Fish Health Inspection done at a commercial Aquaculture facility.

Martin Bushman felt that we are talking about two different situations:

1. Does UDAF have any authority by the FHPB or somebody else in the state have authority to do prophylactic inspections to try to make sure that they don't have AIS species versus
2. What if facilities are found with AIS species – then what happens?

Randy Oplinger brought up the fact that there is a DWR AIS Advisory Committee. The committee has been meeting for a year or so. According to him, the whole point of the committee is basically to evaluate four different AIS species, how you inspect for them, the risks of these species for Aquaculture and also perform recommendations. While it is an advisory committee Randy said that the recommendations made for DWR would also be applicable to UDAF Fish Health.

It was recommended that UDAF have their attorneys evaluate UDAF's authority to do AIS inspections, continue with the UDAF AIS protocol and wait for the DWR AIS committee to come up with better recommendations.

Aquaculture and Aquatic Animal Health Rule (R58-17 handout)

Dr. Hess mentioned that the last two pages of the handout contain wording to be added to the Rule for Fish Health Policy Board electronic meetings. It would allow FHPB members to participate electronically in an official capacity – including possibly running the entire FHPB meeting that way. Dr. Hess suggested everyone look through the last two pages and this could be brought up as an action item and possible vote of the next FHPB meeting.

Robert Judd stated that another item which needed to be addressed in the Rule is how to define what a natural stream channel is. Robert feels there needs to be a clarification of this designation.

NEXT Meeting – Let's try before the legislature meets in session.

POSSIBLE FUTURE AGENDA ITEMS / Action Items

- FHPB Chair Election / Board Member expirations
 - Nominate an Aquaculture Association person
- Aquatic Invasive Species (AIS) Update
 - Check with Jordan Nielsen on who is to present from their committee?
- Statute, Rules and Code training – Martin Bushman
- Aquaculture and Aquatic Animal Health Rule (R58-17 handout)
 - Must renew Rule before Jan. 14, 2015
 - Keep As Is?
 - Change?
 - Electronic meetings
 - R58-17-14: Possible abbreviated COR to transport fish (Robert Judd)
 - For someone who has a backyard re-circulating pond. These folks could transport up to 50 fish maximum. They would fill out some information online re: movement of these fish. This would be used as an alternative to going through the whole COR process.